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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 30 April 1993 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the resolution on the situation in Bosnia and Herzegovina adopted at the Twenty-first Islamic Conference of Foreign Ministers, held at Karachi, Islamic Republic of Pakistan, from 25 to 29 April 1993 (see annex).

I would appreciate it if you would kindly have the text of the present letter and its annex circulated as a document of the forty-seventh session of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador
Permanent Representative

ANNEX

Resolution adopted at the Twenty-first Islamic Conference of Foreign Ministers, held at Karachi, Pakistan, from 25 to 29 April 1993

The situation in Bosnia and Herzegovina

(Proposed by the Islamic Republic of Pakistan, the Republic of Turkey, the Islamic Republic of Iran, the Arab Republic of Egypt, the Kingdom of Saudi Arabia, the Republic of Senegal and Malaysia)

The Twenty-first Islamic Conference of Foreign Ministers, held at Karachi, Islamic Republic of Pakistan, from 4-8 Zul Qadah 1413H (25 to 29 April 1993),

Proceeding from the principles and objectives of the Charter of the Organization of the Islamic Conference, which emphasize the commitment of Islamic Ummah to the consolidation of international peace and security,

Bearing in mind the obligation of all States to act in conformity with the principles and purposes of the Charter of the United Nations,

Reaffirming particularly the obligation of all States to refrain from the threat or use of force in their international relations,

Expressing its alarm at the horrifying situation in the Republic of Bosnia and Herzegovina arising from Serbian aggression and the acts of crime and genocide perpetrated by the Serbs,

Recalling resolutions No. 1/5-EX and 1/6-EX on the situation in Bosnia and Herzegovina, adopted respectively at Istanbul and at Jeddah by the Fifth and Sixth Extraordinary Sessions of the Islamic Conference of Foreign Ministers, as well as the relevant provisions of the Final Declaration of the Meeting of the Bureau of the Sixth Islamic Summit Enlarged to the Chairmen of the Standing Committees, held at Dakar,

Recalling also all the relevant resolutions adopted by the United Nations Security Council and the General Assembly regarding Bosnia and Herzegovina, particularly Council resolution 757 (1992) and Assembly resolution 46/242 of 25 August 1992 and 47/121 of 18 December 1992,

Welcoming United Nations Security Council resolution 808 (1993), which stipulates the establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia,

Further welcoming United Nations Security Council resolution 816 (1993), which authorizes the Member States, acting nationally or through regional organizations or arrangements, to take all necessary measures in order to enforce the no-fly-zone over the airspace of the Republic of Bosnia and Herzegovina,

Taking into account with appreciation all the ongoing diplomatic efforts for restoring peace in Bosnia and Herzegovina,

Gravely concerned, however, over the fact that the Serbian side is utilizing the negotiating process to consolidate its territorial acquisitions and to obstruct the Security Council from authorizing the use of force to secure the implementation of its relevant resolutions,

Deploring vigorously, in this context, the continued non-compliance by Serbia and Montenegro and by the Serbs with all relevant international resolutions and calls made upon them,

Further concerned over the tragic humanitarian situation in the cities and towns under Serbian siege,

Expressing its condemnation on the recent shelling of the town of Srebrenica by the Serbian forces, with the aim of driving the Muslims out of yet another town, as a part of the Serbian "ethnic cleansing" campaign, which is a form of genocide,

Reaffirming that territorial gains or changes brought about by violence are not acceptable,

Commending the Government of Bosnia and Herzegovina for its outstanding flexibility and responsibility as manifested in its acceptance of all the documents negotiated at the peace process,

Welcoming the provisional measures issued by the International Court of Justice, in response to a suit initiated by the Government of Bosnia and Herzegovina,

Affirming that the international community has the responsibility to secure the independence, sovereignty, territorial integrity and unity of Bosnia and Herzegovina, as well as to prevent acts of genocide and of crimes against humanity,

Emphasizing that the deteriorating situation of the Muslims in Bosnia and Herzegovina calls for more international humanitarian assistance coupled with effective measures aimed at providing continuous and unimpeded delivery of the assistance to the needy,

Alarmed that the ongoing conflict in Bosnia and Herzegovina poses a grave risk of spilling over to adjacent areas and beyond and that the aggressor has the intention to spread the conflict,

Further emphasizing that it is and will be necessary to take effective measures to ensure the full and strict implementation of any decision of the United Nations Security Council or the International Conference on the Former Yugoslavia, or agreement reached by the sides concerned,

Convinced that, in view of the current situation, the Republic of Bosnia and Herzegovina has the inherent right of individual or collective self-defence, in accordance with Article 51 of Chapter VII of the Charter of the United

Nations and that the current arms embargo on the Republic of Bosnia and Herzegovina is the major factor impeding the use of the right of self-defence,

Stressing that the situation in Bosnia and Herzegovina warrants the implementation of decisive measures in conformity with the provisions of Chapter VII of the Charter of the United Nations, in particular Article 42,

1. Notes with appreciation the report of the Secretary-General on the situation in Bosnia and Herzegovina (Doc. No. ICFM/21-93/PIL/D.1);

2. Reaffirms the provisions contained in resolution No. 1/5-EX and 1/6-EX on the situation in Bosnia and Herzegovina, adopted by the Fifth and Sixth Extraordinary Sessions of the Islamic Conference of Foreign Ministers, as well as the relevant United Nations Security Council and General Assembly resolutions, in particular General Assembly resolutions 46/242 and 47/121, and demands their immediate implementation;

3. Reaffirms also the decisions of the meeting of the enlarged bureau of the Sixth Islamic Summit, held at Dakar on 11 January 1993;

4. Reaffirms also its commitment to restoring peace in the Republic of Bosnia and Herzegovina as well as safeguarding its unity, sovereignty, political independence and territorial integrity;

5. Strongly condemns the genocidal Serbian aggression against the Republic of Bosnia and Herzegovina and the non-compliance by Serbia and Montenegro and the Bosnian Serb party to the will of the international community, as manifested in the relevant resolutions of the United Nations Security Council, the General Assembly and the Organization of the Islamic Conference;

6. Deplores the breaches of the comprehensive and mandatory sanctions imposed by the Security Council against Serbia and Montenegro, and urges the Security Council to ensure full implementation of its relevant resolutions and especially to prevent supplies reaching Serbia through the Danube River or any other means;

7. Condemns vigorously the massive and flagrant violations of the human rights of the Bosnian people and of international humanitarian law by Serbia and Montenegro and the Bosnian Serbs;

8. Strongly condemns, once again, the abhorrent Serbian policy of "ethnic cleansing" and, in this context, reaffirms the right of all Bosnian refugees to return to their homes under conditions of safety and honour;

9. Requests the Security Council to act decisively and expeditiously under the provisions of Chapter VII of the Charter of the United Nations and to authorize United Nations Member States, in cooperation with the Government of the Republic of Bosnia and Herzegovina, to use all necessary means to uphold and restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina;

10. Also requests the Security Council to guarantee safe routes for unhindered provision and delivery of international assistance to Bosnia and Herzegovina;

11. Further requests the Security Council to exempt, without any further delay, the Republic of Bosnia and Herzegovina from the arms embargo as imposed on the former Yugoslavia under Security Council resolution 713 (1991);

12. Urges Member States as well as other members of the international community to extend their cooperation to the Republic of Bosnia and Herzegovina in exercise of its inherent right of individual and collective self-defence in accordance with Article 51 of Chapter VII of the Charter of the United Nations, including the supply of arms;

13. Urges the Security Council immediately to take further appropriate measures, including the authorization of the use of force, under Chapter VII of the Charter of the United Nations, to ensure:

(a) Placing of all heavy weapons in the Republic of Bosnia and Herzegovina under effective international physical control or neutralizing them to render them inoperative;

(b) Interdiction of all arms supplies to the Serbs;

(c) Institution of appropriate measures for reparations for the Government of Bosnia and Herzegovina by Serbia and Montenegro;

(d) That Serbia and Montenegro is liable under international law for any direct loss, damage, including environmental damage, or injury to foreign Governments, nationals and corporations, as a result of its aggression against the Republic of Bosnia and Herzegovina;

(e) Imposition of a complete and comprehensive economic blockade against Serbia and Montenegro;

(f) Freezing of all assets abroad of Serbia and Montenegro.

14. Calls upon Member States that have not yet done so to sever all economic and commercial ties with Serbia and Montenegro;

15. Decides that Member States would jointly seek the formal expulsion of the Federal Republic of Yugoslavia (Serbia and Montenegro) from the United Nations and all its agencies, organs, bodies and programmes;

16. Requests the Member States to take appropriate measures, individually and collectively, in accordance with the Charter of the United Nations, against those States which are wilfully violating the United Nations sanctions against Serbia and Montenegro;

17. Decides to request the reconvening of the United Nations General Assembly session on Bosnia and Herzegovina in case the Security Council is unable to deal effectively with the Serbian aggression against Bosnia and Herzegovina;

18. Notes with appreciation the ongoing efforts of the Office of the United Nations High Commissioner for Refugees, the United Nations Protection Force and other international humanitarian agencies in providing humanitarian assistance to the people of Bosnia and Herzegovina;

19. Requests the United Nations and other relevant international organizations to consider urgently the introduction of safe areas in addition to those specified in Security Council resolution 819 (1993), in close consultation with the Government of the Republic of Bosnia and Herzegovina in the existing humanitarian effort to supply relief goods through road convoys and airlifts;

20. Urges the Member States and the international community to contribute finances and personnel for implementing the decisions of the Security Council to uphold and restore the sovereignty, political independence, territorial integrity and unity of the Republic of Bosnia and Herzegovina;

21. Requests the Security Council to act immediately to close all detention and concentration camps in Serbia and Montenegro and Bosnia and Herzegovina established by the Serbs and, until implementation, to assign international observers to these camps;

22. Requests that the International Committee of the Red Cross be granted free access to all detention camps established by Serbs in Serbia and Montenegro and in Bosnia and Herzegovina and to all persons imprisoned in these camps and that all prisoners be notified of it without delay;

23. Calls for full respect by all parties of the Humanitarian Plan of Action adopted in the framework of the London Conference on 27 August 1992 and, notably, calls for the immediate release of prisoners in accordance with the agreement signed at Geneva under the auspices of the International Committee of the Red Cross on 1 October 1992;

24. Warns once again the Serb and Montenegrin authorities as well as all persons who commit or order the commission of breaches of international humanitarian law in the Republic of Bosnia and Herzegovina that they are individually responsible in respect of such breaches and will be punished for war crimes in accordance with the Geneva Conventions;

25. Requests the United Nations to expedite the establishment of a representative international war crimes tribunal to try and punish those who are guilty of genocide, crimes against humanity and war crimes in the Republic of Bosnia and Herzegovina;

26. Expresses its appreciation to those States and international institutions which have provided humanitarian assistance to the people of the Republic of Bosnia and Herzegovina, and appeals to all Member States to contribute generously towards alleviating their sufferings, including assistance to refugee centres for Bosnian refugees in neighbouring countries;

27. Emphasizes the importance of cooperation among all parties in Bosnia and Herzegovina against the Serbian aggression;

28. Urges the Security Council to adopt effective measures to prevent any further aggravation of the extremely tense situation in Kosovo, Vojvodina, the Sanjak and the Republic of Macedonia;

29. Commends the work of the Organization of the Islamic Conference Contact Group on Bosnia and Herzegovina at the United Nations, in New York, and requests it to continue its work;

30. Urges those Member States who have not yet established full diplomatic relations with Bosnia and Herzegovina to do so immediately;

31. Decides to dispatch a mission at ministerial level, drawing from the members of the Contact Group of the Organization of the Islamic Conference, comprising the current Chairman, the outgoing Chairman, the representative of the Chairman of the Sixth Islamic Summit and the Secretary-General of the Organization of the Islamic Conference, to the capitals of the permanent members of the Security Council to explain the provisions of the present resolution and to seek their agreement for the necessary follow-up action in the Council;

32. Requests the Secretary-General to follow up the implementation of the resolution and to report to the Coordination Meeting of the Foreign Ministers of the Organization of the Islamic Conference in New York and to the next Islamic Conference of Foreign Ministers.

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Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 3 May 1993 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

With reference to the letter dated 29 April 1993 from the Permanent Representative of Turkey to the United Nations with regard to the incident that took place in the territorial waters of the Republic of Cyprus on 28 April 1993 (A/47/935-S/25692), I have the honour to transmit to you herewith the text of the statement issued by the Government of the Republic of Cyprus on 28 April 1993 (see annex), which contains the relevant facts and effectively refutes the unfounded allegations contained in the said letter and its annex.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the forty-seventh session of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) A. J. JACOVIDES
Ambassador
Permanent Representative of the
Republic of Cyprus to the
United Nations

ANNEX

Statement issued on 28 April 1993 by the Government of Cyprus

At 9.40 a.m. today a police patrol boat, while on a routine mission within the territorial waters of the Cyprus Republic six miles south of the region of Zygi in the Larnaca district, came across a cargo ship that was on a 100° south-easterly course. The ship had no flag and its name was covered with paint. On account of this it was suspected of carrying narcotics or of carrying out other forms of illicit trade. The patrol boat approached within 20 metres of the ship and called on it repeatedly, through loudspeakers, in Greek and English, to stop. The patrol boat also called it on wireless Channel 16 and attracted its attention by blowing its siren.

In spite of all this, the ship failed to respond and continued on its course. Following that, the patrol boat went around the ship in order to force it to stop and tried again at least to communicate with it over the wireless. But the ship continued at full speed, estimated at 10 nautical miles per hour. As a consequence of this, the Commander of the police patrol board ordered warning shots to be fired above the bridge of the ship. This occurred at 10.25 a.m. In spite of all this as well, the ship continued on the same steady course. When the ship was about 17 miles beyond the territorial waters of the Republic, the patrol boat, on instructions, stopped its surveillance. On earlier instructions from Police Headquarters, the patrol boat had stopped its pursuit of the ship. The Cyprus Police Headquarters informed INTERPOL of the matter immediately.

During the last phase of the surveillance the police patrol boat was joined by another patrol boat of the Republic.

Around 12.00 noon, the British High Commissioner in Cyprus communicated with the Foreign Minister, Mr. Alecos Michaelides, with whom he talked about the incident, informing him that there were two Turks wounded on the ship and asking whether aid could be given to them by helicopter. The Foreign Minister gave his permission for the British Military Authorities to use helicopters from the British bases in Cyprus for the transport of the wounded, either to Cypriot hospitals, which were alerted in the meantime, or to the Akrotiri British military hospital, if this were deemed more practical.

At the same time the police patrol boats were ordered to cease their pursuit of the ship since it was already outside Cyprus' territorial waters. The pursuit stopped at 12.05 p.m.

A helicopter with a medical doctor aboard from the British bases went to the ship. The doctor advised the transportation of the wounded to a hospital, but the wounded refused to board the helicopter and the ship continued on its course.

The Cyprus Republic has not only the right but also the obligation to maintain surveillance and to inspect its coasts and its territorial waters for possible illegal trafficking in narcotics or arms. Systematic inspection is also carried out for ships moving suspiciously within the territorial waters of Cyprus.

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Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 4 May 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a letter addressed to you by His Excellency Mr. Osman Ertuğ, representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the forty-seventh session of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Inal BATU
Ambassador
Permanent Representative

ANNEX

Letter dated 4 May 1993 from Mr. Osman Ertuğ addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the recent unprovoked assault on a Turkish cargo ship destined for Gazimagosa port in Northern Cyprus by Greek Cypriot gunboats while it was sailing in international waters off the coast of Larnaca, Southern Cyprus, and to bring to your attention the negative implications of this hostile action on intercommunal relations and the efforts being conducted under your auspices for a negotiated solution in Cyprus.

As you are aware, the incident occurred on 28 April 1993 at around 9.45 a.m. local time, when a Greek Cypriot gunboat approached the Turkish freighter, Alp-5, which was sailing in international waters 20 to 22 nautical miles off the coast of Larnaca and, without warning, started firing at the ship. As a result, the captain of the ship and a crew member were injured.

The Greek Cypriot gunboat was later joined by another gunboat and the two together started following the cargo ship, trying to force it to change course and enter into Greek Cypriot territorial waters, by blocking its way and at the same time firing at it from all directions.

When the ship's distress message was received in Northern Cyprus, our authorities requested assistance from the United Nations Peace-keeping Force in Cyprus (UNFICYP) and the nearby British base, but the helicopters that were sent could not approach the ship because of the continuous firing. Upon strong representations by our authorities through UNFICYP, the firing was finally stopped at 12.25 p.m., but the gunboats kept pursuing the ship. Thus the helicopters could arrive at the scene of the incident only at 2.00 p.m. and the wounded were given first aid treatment on board by the British doctors who were flown in.

All subsequent efforts to have the injured flown to Gazimagosa Hospital, which was the nearest one to the area, did not produce results because of the pressure exerted by the Greek Cypriot side. Thus, the ship had to continue its journey, at great risk to the injured on board, until it reached Gazimagosa port at 8.30 p.m. the same day. The wounded crew members were then taken to Gazimagosa State Hospital, where they had to undergo surgery.

After the ship arrived at Gazimagosa port, it was inspected by a team of experts, in the presence of a senior UNFICYP officer. It was observed that, in addition to other weapons, a 20-mm heavy gun had been used in the firing, shattering the windows of the bridge. In fact, it clearly appeared that the bridge was the main target of the assault, which indicates malicious intent to kill or harm the sailors.

There is absolutely no justification for this hostile action of the Greek Cypriot side, which was carried out without warning and in international waters. The Greek Cypriot claim that the ship was in their territorial waters when it was attacked is baseless, because eyewitness accounts by the crew indicate that

there were other foreign vessels in the same area at the same time, sailing closer to the shore, that were not interfered with. The fact that the Greek Cypriot gunboats singled out the Turkish freighter, tried to force it into their territorial waters by firing on it and blocking its way is itself an indication that the Greek Cypriot culprits were aiming to create justification for this act of piracy on the high seas.

This incident once again demonstrates the inability of the Greek Cypriot side even to tolerate the presence of the Turkish flag or anything Turkish in their vicinity. It is also another instance of their hostile policy of blocking all outside links of the Turkish Republic of Northern Cyprus with the outside world.

At a time when efforts are being made under your auspices to achieve progress towards a negotiated solution and confidence-building measures are high on the agenda, I need hardly reiterate that acts of provocation of this nature aimed at creating tension only serve to deepen the abyss of mistrust between the two peoples in Cyprus and hamper prospects for a solution.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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Forty-seventh session
Agenda item 15 (c)
ELECTIONS TO FILL VACANCIES IN
PRINCIPAL ORGANS: ELECTION
OF A MEMBER OF THE
INTERNATIONAL COURT OF
JUSTICE

SECURITY COUNCIL
Forty-eighth year

List of candidates nominated by national groups

Note by the Secretary-General

1. By a communication dated 4 February 1993, addressed to States parties to the Statute of the International Court of Justice, the Secretary-General drew attention to the vacancy in the International Court of Justice caused by the death of Judge Manfred Lachs (Poland) on 14 January 1993. In the same communication, the Secretary-General, in accordance with Article 5, paragraph 1, of the Statute of the Court, invited the national groups of States parties to the Statute to undertake the nomination of persons in a position to accept the duties of a member of the Court. The Secretary-General further requested that nominations should be received no later than 4 May 1993.

2. In accordance with Article 7 of the Statute of the Court, the Secretary-General has the honour to submit to the General Assembly and to the Security Council a list in alphabetical order of all the persons thus nominated (see annex).

3. The composition of the Court and the procedure to be followed in the General Assembly and in the Security Council for filling the vacancy are given in a memorandum by the Secretary-General, issued as document A/47/931-S/25657. The curricula vitae of the candidates will appear in document A/47/941-S/25727.

ANNEX

List of candidates

Name and nationality	Nominated by the national group of
Herczegh, Géza (Hungary)	France Hungary Sweden Venezuela
Skubiszewski, Krzysztof (Poland)	Austria Belgium France Greece Italy Luxembourg Poland Spain Switzerland United Kingdom of Great Britain and Northern Ireland United States of America

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ELECTIONS TO FILL VACANCIES IN PRINCIPAL ORGANS: ELECTION OF A MEMBER OF THE INTERNATIONAL COURT OF JUSTICE

SECURITY COUNCIL
Forty-eighth year

Curricula vitae of candidates nominated by national groups

Note by the Secretary-General

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	HERCZEGH, Géza	3
	SKUBISZEWSKI, Krzysztof	9

I. INTRODUCTION

The Secretary-General has the honour to submit to the General Assembly and to the Security Council the curricula vitae of the candidates nominated by national groups for the election to fill a casual vacancy in the International Court of Justice caused by the death, on 14 January 1993, of Judge Manfred Lachs (Poland). The names of the candidates nominated for this election have been circulated in document A/47/940-S/25726. The composition of the Court and the voting procedures to be followed in the General Assembly and in the Security Council are set out in a memorandum by the Secretary-General issued as document A/47/931-S/25657.

II. CURRICULA VITAE

Géza HERCZEGH
(Hungary)

Born at Nagykapos, 17 October 1928.
Educated at the French Grammar School in Gödöllö, Hungary.

Academic qualifications

Bachelor of Law, University of Szeged, Hungary, 1951.

Candidate in Jurisprudence (PhD), 1965.

Corresponding Member of the Hungarian Academy of Sciences, 1985.

Doctor honoris causa, Faculty of Law, University of Marburg, Germany, 1990.

Member of the Hungarian Academy of Sciences, 1990.

Scientific and teaching activities

Research Fellow in international public law at the Institute of Political Sciences, Budapest, 1951-1967.

Studies as Senior Fellow at various institutes, e.g. in Paris, 1966, Salzburg, 1970.

Professor of Law, Head of the International Law Department at the Law Faculty of the University of Pécs, Hungary, 1967-1990.

Dean of the Law Faculty of the University of Pécs, 1981-1987.

Lectured in international humanitarian law at several universities (e.g. Bayreuth, Bratislava, Cambridge, Exeter, Graz, Krakow, Marburg, Moscow, Osijek, Novi Sad, Vienna), 1970-1985.

Lecturer in seminars for the implementation and dissemination of international humanitarian law, Warsaw, 1985, Vegimont, 1989.

Vice-President of the Department of Legal and Economic Sciences of the Hungarian Academy of Sciences since 1990.

Present position

Judge of the Constitutional Court of the Republic of Hungary since 1990.

Vice-President of the Constitutional Court, elected for a three-year term, 1990-1993.

Activities at international conferences

As expert on international humanitarian law represented the Hungarian Red Cross Society at the conferences at The Hague, 1971, Vienna, 1972, Teheran, 1973, Monaco, 1984.

Served as governmental expert on international humanitarian law at the conferences at Geneva, 1971 and 1972.

Member of the Hungarian delegation at the Diplomatic Conference at Geneva, 1974-1977, on the protection of victims of armed conflicts. Served as Vice-President of the Third Commission of the same Conference.

Member of the Hungarian delegation at the UNESCO General Conference at Sophia, 1977.

Rapporteur at the Third Conference on Parliamentary Democracy organized by the Council of Europe on the topic, "Problems of transition from an authoritarian or totalitarian regime to a genuinely democratic system", Strasbourg, 1991.

Member of the expert working group ("Badinter Group") preparing the draft convention on the peaceful settlement of disputes within the framework of the Conference on Security and Cooperation in Europe, Paris, 1992.

Languages

English, French, German.

Principal publications

1. Books

- The colonial question and international law (in Hungarian) (Budapest, 1962, 230 pp.)

- General principles of law and the international legal order (Budapest, Series in Foreign Languages, 5, 1969, 129 pp.)

- Development of international humanitarian law (Budapest, 1984, 239 pp.)

- Foreign policy of Hungary, 1896-1919 (in Hungarian) (Budapest, 1987, 385 pp.)

- Manual of international law (in Hungarian) (in collaboration with others) (Budapest, 1st ed., 1976)

- History of diplomatic relations, 1914-1945 (in Hungarian) (Budapest, 1st ed., 1964-1965)

2. Essays, articles

- "Some questions concerning the International Trusteeship System" (in Hungarian)
(Budapest, 1953)

- "Navigation on the Danube. The Law in the service of peace"
(Brussels, 1955)

- "La réglementation internationale de la navigation sur le Danube. Le droit en service de la paix"
(Brussels, 1955)

- "The right to self-determination and the Charter of the United Nations" (in Hungarian)
(Budapest, 1956)

- "The Statute of the International Atomic Energy Agency" (in Hungarian)
(Budapest, 1957)

- "Main questions concerning the theory of international law in the works of Hans Kelsen" (in Hungarian)
(Budapest, 1957)

- "The 1948 Danube Convention and international law" (in Hungarian)
(Budapest, 1958)

- "Positivism in contemporary international jurisprudence" (in Hungarian)
(Szeged, 1958)

- "The international status of the German Democratic Republic" (in Hungarian)
(Budapest, 1960)

- "General principles of law according to the Statute of the International Court of Justice" (in Hungarian)
(Budapest, 1961)

- "The system of agreements on mutual assistance in civil and criminal matters with socialist countries" (in Hungarian)
(Acta juridica, 1962)

- "Le système des conventions d'aide judiciaire conclues avec les Etats socialistes"
(Acta juridica, 1963)

- "The prohibition of the threat of and use of force in contemporary international law" (in Hungarian)
(Budapest, 1963)

- "Einige Fragen des Völkerrechts hinsichtlich der Entschädigung der Verfölgten des Nazismus in Ungarn"
(Acta juridica, 1967)

- "Some legal questions of the utilization of the waters of international rivers", in Questions of international law
(Ed. Hungarian Branch of the International Law Association, 1968)

- "Sociology of international relations and international law", in Questions of international law
(Budapest, 1970)

- "The international legal prohibition of bacteriological weapons" (in Hungarian)
(Budapest, 1972)

- "Research on international relations in the United States of America" (in Hungarian)
(Budapest, 1972)

- "International humanitarian law and the principle of proportionality" (in Hungarian)
(Pécs, 1975)

- "The problems of war reprisals in contemporary international law" (in Hungarian)
(Budapest, 1976)

- "International protection of partisans" (in Hungarian)
(Budapest, 1977)

- "La place de l'Etat dans l'ordre juridique international. La communauté des Etats et le 'jus cogens'", in Comparative law - Droit comparé
(Budapest, 1978)

- "Civílne obyvatel'stvo a kombatanti, zásady rozlisovania obcianskych statkov a vojenskych objektov v medzinárodnom práve"
(Bratislava, 1979)

- "Le rôle des principes généraux du droit dans le droit international public"
(Journées de la Société de Législation comparée, Paris, 1980)

- "International aspects of the national question during the Hungarian reform era" (in Hungarian)
(Budapest, 1980)

- "Organizational and administrative questions concerning the management of the international relations of Hungary in the sixteenth century" (in Hungarian)
(Budapest, 1980)

- "Protocol Additional to the Geneva Conventions on the Protection of the Victims of Non-international Armed Conflicts", in Questions of international law
(Budapest, 1981)

- "The extension of the notion of combatants in the light of the First Geneva Protocol of 1977", in New directions in international law
(Festschrift Abendroth Frankfurt/New York, 1982)

- "The history of the international relations of small countries", in Small Countries and International Adjustment
(Geneva Graduate Institute of International Studies, 1982)

- "Theoretical and methodical questions concerning research on international relations" (in Hungarian)
(Pécs, 1982)

- "Etat d'exception et droit humanitaire" (Recueil des cours de l'Institut international des Droits de l'Homme, Strasbourg, 1983)

- "La protection de l'environnement naturel et le droit humanitaire", in Etudes et essais sur le droit international humanitaire
(Mélanges Pictet, Geneva/The Hague, 1984)

- "Die neuere Entwicklung des humanitären Völkerrechts" in Probleme des Völkerrechts (1985)

- "International law in a multicultural world", in Questions of international law
(Budapest, 1986)

- "International legal protection of minorities" (in Hungarian)
(Pécs, 1987)

- "Present possibilities of international legislation and its limits" (in Hungarian)
(Budapest, 1987)

- "Ungarn und Europa 1683-1686"
(Acta juridica, 1988)

- "The right to national identity as a human right" (in Hungarian)
(Budapest, 1989)

- "Report on domestic law relating to Red Cross/Red Crescent societies and the protection of the Red Cross/Red Crescent emblem", in National implementation of international humanitarian law
(The Hague, 1990)

- "Völkerrecht und Ungarisches Recht"
(Österreichische Notariatszeitung, Vienna, 1990)

- "Protection of national minorities in international law" (in Hungarian)
(Budapest, 1990)

- "Problems of transition from an authoritarian or totalitarian regime to a genuinely democratic system
(Discussion paper for the third Strasbourg Conference on Parliamentary Democracy, Strasbourg, 1991)

- "The role of human rights in international law" (in Hungarian)
(Budapest, 1992)

Krzysztof SKUBISZEWSKI
(Poland)

Minister for Foreign Affairs of Poland
Born at Poznań, 8 October 1926

1938-1945	Secondary education at Poznań, Warsaw and Biała Podlaska.
1945-1949	Faculty of Law and Economic Sciences, University of Poznań (Magister Juris).
1950	Doctor Juris.
1957	European University Centre (Diploma of European Higher Studies), University of Nancy, France.
1957-1958	Harvard School of Law (Master of Law).
1960	"Habilitation" in International Law at the Adam Mickiewicz University, Poznań.
1948-1960	Assistant teacher and lecturer, Faculty of Law, Adam Mickiewicz University, Poznań.
1961-1973	Docent, Faculty of Law, Adam Mickiewicz University, Poznań; 1961-1963, Pro-Dean at that Faculty.
1963-1964	Visiting scholar, School of International Affairs, Columbia University, New York.
1971 and 1979	Visiting Professor at the Law Faculty, University of Geneva.
1971-1972	Visiting Fellow, All Souls' College, Oxford.
1973	Professor, Institute of Law, Polish Academy of Sciences, Warsaw (at present on leave of absence).
1963-1992	Lectures at the Universities of Nottingham and London; the International Faculty of Comparative Law, Strasbourg; the Graduate Institute of International Studies, Geneva; the College of Europe, Bruges; and also the clubs of international law of Harvard, Duke and Oxford Universities; the Max-Planck Institute, Heidelberg; the Universities of Vienna and Graz; the Faculty of Law, University of Paris II; the Royal Institute of International Affairs, Chatham House (1991); All Souls' College, Oxford (1992); Institut d'Etudes politiques, Paris (1992); Hersch Lauterpacht Lectures at Cambridge University; Cyril Foster Lecture, Oxford (1990); Lord Wilberforce Lecture (1990); Hugh Gaitskell Lecture (1991); and numerous other lectures in European, American, Australian and Asian societies of political and legal sciences.
1980	Member of "Solidarity".

1981	Member, Committee of Legal Sciences, Polish Academy of Sciences.
1981-1984	Member of the Primate of Poland Social Council.
1984-1989	Member, Coordinating Committee, Poland-Federal Republic of Germany Forum, representing the secretariat of the Polish Episcopate.
1986-1989	Member, Consultative Council to the Chairman of the Council of State of the Polish People's Republic.
1989	Member, Polish Academy of Sciences.
September 1989	Minister for Foreign Affairs.

Member

Society of Arts and Sciences, Poznań.

Western Institute, Poznań, International Law Association (Polish branch).

Institut de Droit international; American Society of International Law (honorary member, 1991); Societé française pour le Droit international; Oxford Society; Codrington Club; Honorary Bencher, Gray's Inn (1990); Curator, United Nations Student Association, Poznań (1960-1973).

Distinctions and awards

Gold Cross of Merit (1977).

Knight's Cross of the Order of Polonia Restituta (1986).

Cavaliere di Gran Croce, Ordine Piano (Holy See, 1991).

Grand Officier de la Légion d'honneur (1991).

Gran Cruz de la Orden al Mérito de Chile (1991).

Grosskreuz des Verdienstordens der Bundesrepublik Deutschland (1991).

Order of Diplomatic Merit of the Republic of Korea (1991).

Alexander von Humboldt Foundation research prize (1984).

Honorary doctorates

Universities of Ghent, Mainz, Turin, Liège and Geneva.

Carried out research on legal aspects of Polish-German relations, in particular the border between the two countries; use of force by States and law of armed conflicts; law of international organizations; theory of international law, including its sources.

Publications in Polish

- Pieniądz na terytorium okupowanym (Money in occupied territory, a study in international law with particular reference to German practice) (Western Institute, Poznań, 1960, 404 pp.)

- Uchwały prawotwórcze organizacji miedzynarodowych (Lawmaking resolutions of international organizations) (Poznań Society of Arts and Sciences, Poznań, 1965, 201 pp.)

- Zachodnia granica Polski (The western frontier of Poland) (Baltic Institute, Maritime Publishers, Gdańsk, 1969, 630 pp.)

- Zachodnia granica Polski w świetle traktatów (The western border of Poland in the light of treaties) (Western Institute, Poznań, 1975, 368 pp.)

Publications in foreign languages

- "Use of force by States. Collective security. Law of war and neutrality", chapter 12 in Manual of public international law, ed. M. Soerensen (Macmillan, London/Melbourne/Toronto; St. Martin's Press, New York, 1963) Spanish translation by the Fondo de Cultura Económica, Mexico, 1973.

- "Poland and some other Eastern European countries", in individual rights and the State in foreign affairs, introduction and chapter 14, eds. E. Lauterpacht and J. C. Collier (Praeger Publishers, New York/London, 1977).

- "Peace and war. International legislation", in parts 4 and 5 of the Encyclopedia of public international law, ed. R. Bernhard (North Holland, Amsterdam/New York/Oxford, 1982 and 1983).

Reports

- "Les techniques d'élaboration des grandes conventions multilatérales et des normes quasi-législatives internationales" (in collaboration with Hans Blix), Institut de Droit international, Annuaire, vol. 57, 1977, part II (S. Karger, Basle, 1978).

- "Resolutions of the General Assembly of the United Nations", Institute of International Law, Yearbook, vol. 61, 1985, part I (Editions E. Pedone, Paris, 1985).

Articles

Over 80 articles in law journals or collections of studies including Annuaire française de droit international, American journal of international law, Annales d'études internationales, Archiv des Völkerrechts, British yearbook of international law, Current legal problems, German yearbook of international law, International organization, Jahrbuch für internationales Recht, Polish yearbook of international law, Revue générale de droit international public, Zeitschrift für ausländisches öffentliches Recht und Völkerrecht.

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Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA AND
HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 6 May 1993 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement issued on 6 May 1993 by the Ministry of Foreign Affairs of the Republic of Turkey on the situation in Bosnia and Herzegovina (see annex).

I would be grateful if you would have the text of the present letter and its annex circulated as an official document of the forty-seventh session of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Inal BATU
Ambassador
Permanent Representative

ANNEX

Statement issued on 6 May 1993 by the Ministry of Foreign Affairs of Turkey

Yesterday the illegitimate Serbian Parliament in Bosnia and Herzegovina did not endorse the Vance-Owen peace plan, which it had actually rejected twice before, and chose to resort to further delaying tactics by seeking a referendum. This has revealed once again what kind of measures the international community must take to stop the Serbian aggression and genocide in Bosnia and Herzegovina.

The démarches and contacts made by the Turkish government within the international community and international organizations in this regard are well known. Turkey, mindful that the Bosnian people have been paying a terrible price for the vacillation and indecisiveness of the international community for more than a year, emphasizes that the international community must act urgently to stop the "ethnic cleansing" if it does not want to be an accomplice to acts of genocide.

Concerned over the possibility of the aggression spreading further, Turkey is convinced that economic sanctions are not sufficient to respond to the atrocities of such magnitude. Turkey therefore demands that more effective measures should be taken now.

We hope that this time the international community will demonstrate its determination and shoulder its duties and responsibilities. On its part, Turkey is prepared to carry out its responsibilities and shall continue to contribute to this end.

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THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 7 May 1993 from the Permanent Representative of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

I have the honour to present to you the attached letter, dated 6 May 1993, from my President to you (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

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ANNEX

Letter dated 6 May 1993 from the President of the Presidency of Bosnia and Herzegovina to the Secretary-General

I have been trying unsuccessfully for several days to get the world's support to save the people of Žepa from the extermination. Your military observers were prevented from entering Žepa yesterday. The town was attacked from all sides and the slaughter of the civilian population is going on. At this moment, only an urgent action of the United Nations can prevent total catastrophe.

We expect you to do all you can in this regard.

(Signed) Alija IZETBEGOVIĆ
President of the
Presidency of the
Republic of Bosnia
and Herzegovina

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Agenda item 45
QUESTION OF CYPRUS

SECURITY COUNCIL
Forty-eighth year

Letter dated 6 May 1993 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I have the honour to refer to a letter (A/47/934-S/25688) dated 29 April 1993, addressed to you by the Permanent Representative of Turkey (with an annex) and circulated as a document of the General Assembly, under agenda item 45, and of the Security Council in response to a statement made by the delegation of Cyprus in the Special Committee on Peace-keeping Operations on 23 April 1993.

This is the latest instance of the abuse of the process of circulation of United Nations official documents by the Turkish Mission in the name of the so-called "Turkish Republic of Northern Cyprus", an entity recognized by no member of the international community other than Turkey itself and which was rightly described in Security Council resolution 541 (1983) of 18 November 1983 as "legally invalid" and incompatible with the 1960 Treaties of establishment and the 1960 Treaty of Guarantee. The Security Council, in its resolution 550 (1984) of 11 May 1984, called upon all States "not to facilitate or in any way assist the aforesaid secessionist entity" and, as recently as 25 November 1992, in its resolution 789 (1992), it emphatically reaffirmed the aforesaid resolutions. Yet, once again, we encounter the oxymoron of the Turkish Mission being allowed to abuse the right of a Member State to request the circulation as United Nations documents of communications in the name of that unrecognized entity which the Security Council itself described and continues to regard as secessionist and legally invalid and which it called on all States not to facilitate or in any way assist.

It is said in the annex to the aforesaid letter of the Permanent Representative of Turkey that the Turkish Cypriot side feels compelled to exercise its "right of reply" in writing. Leaving aside the improper mode of referring to my delegation in a manner incompatible with accepted and generally respected United Nations terminology, it is clear to anyone who heard or read the statement of my delegation in the Special Committee on Peace-keeping

Operations on 23 April 1993, that no references whatsoever were made to the Turkish Cypriot community. There were indeed certain references made to Turkey's role in the Cyprus crisis from 1963 onwards, in the context of illustrating our position on United Nations peace-keeping and the United Nations Peace-keeping Force in Cyprus (UNFICYP) in particular, but Turkey was duly represented in the Committee and could have exercised its right of reply if it so wished. Since the Turkish Mission saw fit to adopt the method of airing its views through the circulation of a written document of the Security Council and the General Assembly, we also feel compelled to refute these views and unfounded allegations in the same manner.

In addition to stating our position on the various aspects of the item under discussion in the Special Committee on Peace-keeping Operations, my delegation had stated that we attach great importance to United Nations peace-keeping, the more so since Cyprus is itself a case study of United Nations peace-keeping and a test case of its relevance and effectiveness, as well as of its corollaries of peacemaking and peace-building. We expressed the strong belief that peace-keeping is a collective responsibility in accordance with Article 17, paragraph 2, of the Charter of the United Nations. In the context of the topic of the security of United Nations peace-keeping forces, we stated that "we remember with sadness the fatal casualties caused to peace-keepers in Cyprus in 1974 as a result of the indiscriminate napalm bombing by the invading country's air force". Perhaps it should have been specified that these sad casualties were members of the Austrian United Nations contingent, to whose memory we pay tribute, and that the invading country was, of course, Turkey.

We stated that Cyprus, from the beginning of its existence as an independent State, has consciously made the principles of the Charter central to its foreign policy, as a small and militarily weak State sought the Organization's protection when faced by threats of outside aggression and did not hesitate in giving its consent to the establishment of a United Nations force on its territory. This is a perfectly valid and accurate position. Those who have short memories could be reminded that it was the Government of Cyprus that in its letter of 26 December 1963 to the Security Council (S/5488), sought protection against the Turkish threats and acts of intervention, that it was my Government that invoked the involvement of the Security Council in February 1964 and it was my Government that willingly gave its consent to the establishment and operation of UNFICYP in Cyprus under Security Council resolution 186 (1964) of 4 March 1964.

This, we stressed, was a well conceived and well constructed resolution which stood the test of time. It quite properly referred to the cardinal principle in Article 2, paragraph 4, of the Charter prohibiting the threat or use of force by Member States in their international relations against the territorial integrity or political independence of any State, called upon all Member States, in conformity with their obligations under the Charter, to refrain from any action or threat of action likely to worsen the situation in the sovereign Republic of Cyprus or to endanger international peace; recommended the creation, with the consent of the Government of Cyprus, of UNFICYP; and recommended the appointment of a United Nations mediator "for the purpose of promoting a peaceful solution and an agreed settlement of the problem confronting Cyprus, in accordance with the Charter of the United Nations, having

in mind the well being of the people of Cyprus as a whole and the preservation of international peace and security".

Under the terms of resolution 186 (1964), we stated, there was provision not only for peace-keeping through UNFICYP but also for peacemaking through the efforts of the United Nations mediator. Dr. Galo Plaza, a former President of Ecuador and the mediator appointed under that resolution (following the untimely death of the first mediator, S. Tuomioja of Finland), produced early in 1965 a judicious and balanced report outlining a fair and lasting solution, which if accepted by all parties concerned, as it was accepted by my Government, would have solved the problem in accordance with his terms of reference, which I cited earlier; that is to say in accordance with the Charter of the United Nations, having in mind the well-being of the people of Cyprus as a whole and the preservation of international peace and security. If this had happened, as was the intention of the Security Council, the problem would have been solved already as of that time, and UNFICYP would have been no longer necessary as of 1965. However, the United Nations mediator's report was rejected by Turkey, and the international community took no steps to ensure compliance. This condemned the peacemaking leg under resolution 186 (1964) design to atrophy, while the other leg, that of peace-keeping with UNFICYP, continued on and on since its continued presence was rightly judged still to be necessary. This fact should be remembered by all, and especially those who, with a certain degree of justification, complain that UNFICYP has been in existence for too long a period of time. The Cyprus example, we stressed, is the best proof that an intense effort of peacemaking must be pursued in parallel with every peace-keeping operation. The lesson to be drawn from the Cyprus peace-keeping efforts is that as long as one of the parties concerned is not willing to comply with the dictates of the international community, as spelled out in unanimously adopted and binding resolutions of the Security Council, and as long as the members of the international community are not willing or able to act effectively in order to implement the resolutions for which they voted, peacemaking will lag behind, resulting in the indefinite continuation, if not the perpetuation, of the problem. This is an evidently unsatisfactory situation, unsatisfactory to the Government directly concerned no less than to the contributing countries and to the United Nations. The answer lies not in abandoning the peace-keeping effort, thereby abdicating responsibility and leaving the weak at the mercy of the strong, but in pressing on with effective peacemaking through the implementation of the relevant Security Council resolutions by all available means, so as to reach a workable and viable solution consistent with the principles of the Charter and United Nations resolutions.

My delegation also stated that following the 1974 invasion and the occupation of more than a third of the territory of the Republic of Cyprus by the Turkish armed forces and the resulting situation of "ethnic cleansing" carried out by these forces, the Security Council and the General Assembly unanimously adopted resolutions demanding the immediate withdrawal of the foreign armed forces, the return of the refugees to their homes in safety and respect for the sovereignty, territorial integrity and independence of the Republic of Cyprus. Yet these resolutions remain unimplemented. UNFICYP adjusted its mandate to the new situation, supervised the cease-fire and commendably carried out other functions, including those under the third Vienna Agreement of 1975, to alleviate human suffering resulting from the continued military occupation and the forcible artificial division of the island. Sadly,

nearly two decades later, the Cyprus problem remains unresolved, while UNFICYP faces serious financial and other problems.

Despite the presence and best efforts of UNFICYP, serious incidents are still occurring, and only a few days ago an unarmed 20-year-old Greek-Cypriot soldier was shot and killed by a Turkish soldier in the buffer zone. The facts of this incident are contained in document S/25579, dated 12 April 1993. This latest tragic event reaffirms the need for maintaining the United Nations Peace-keeping Force in Cyprus with its current strength and mandate so as to contain situations which otherwise might get out of control, with unpredictable and serious consequences to peace on the island and in the region.

The problems of the peace-keeping operation in Cyprus are identified and analysed in the latest report of the Secretary-General to the Security Council (S/25492 of 30 March 1993). UNFICYP's role should not be jeopardized by altering its structure or reducing its strength, especially at this critical moment of intense negotiations under the auspices of the Secretary-General. Our view is that the present financial difficulties of UNFICYP should be solved as a matter of urgency along the lines proposed by the Secretary-General. The maintenance of the present status of UNFICYP remains essential. Any change would adversely affect the possibilities for a peaceful outcome of the Cyprus problem and would expose the country, with its limited military defence, to the threat of a powerful foreign occupation army. It might also be interpreted as a form of pressure on the party which has demonstrated the political good will to find a just and viable solution to the Cyprus problem and has shown its willingness for compromise and conciliation, as generally recognized and as reaffirmed in the most recent Security Council resolutions.

In sharp contrast with Turkey, the country which bears a large part of the responsibility for the circumstances which necessitated the establishment of UNFICYP and through the continuing presence of its 35,000-strong occupation army is responsible for the prolonged presence of the Force on the island, Cyprus, from the beginning, contributed substantially towards the costs of UNFICYP, both in monetary and in material terms, despite the tremendous upheaval and the catastrophic consequences brought about by the 1974 invasion. Moreover, in light of the current difficulties, my Government, as recently as last month, offered to meet on a continuing basis one third of the annual costs of UNFICYP (15.71 million dollars, on the basis of the Secretary-General's estimate of 47.13 million dollars) as a means of facilitating the objectives proposed in the above-mentioned report of the Secretary-General in the terms contained in document S/25647.

In the annex to the letter under reply there is a lame attempt to respond to our statement regarding the "ethnic cleansing" carried out by the Turkish armed forces in the wake of the 1974 invasion and the occupation of more than a third of the territory of the Republic of Cyprus. Sadly, the facts are indisputable on this very tragic aspect of the Cyprus problem. As my delegation stated in plenary meeting of the General Assembly on the situation in Bosnia and Herzegovina on 24 August 1992 "the unfortunate and indeed tragic fact is that the odious and abhorrent policy of ethnic cleansing is not a new phenomenon, nor did it originate in Bosnia. We in Cyprus have had a bitter experience in this regard. We have witnessed equally grave violations of international humanitarian law as attested to by the European Commission of Human Rights" and

quoted from a main editorial from the respected Financial Times newspaper, in its issue of 16 July 1992:

> "A State recognized by most other States and admitted to numerous international bodies is being dismembered. Frontiers are being redrawn by war. Large numbers of people are being forcibly driven from their homes, with widespread killing. Such actions would be intolerable at any time or place, but in many times and places have been tolerated. A particularly clear precedent was set in Cyprus in 1974. There, too, a neighbouring State, Turkey, intervened to protect a minority and used military force to secure an area for that minority's exclusive use, expelling from it all members of the majority community. There, too, the international community failed to take any effective action or reverse the process".

The same theme echoes through much more recent serious writings as by Jonathan Eyal in The Guardian on 12 April 1993 ("Ethnic cleansing duly followed in the aftermath of the Turkish invasion in 1974 ...") and by John Torode in The Independent on 2 April 1993 ("The dilemma is not new. In the spring of 1975, I stood at the United Nations checkpoint on the green line dividing Nicosia, the capital of Cyprus, awaiting the arrival of the final few hundred among 140,000 Greek Cypriot refugees. They had been 'ethnically cleansed' from towns and villages in the north in the months since mainland Turkey had seized one third of the island, ostensibly to provide a safe haven for the Turkish Cypriot minority"). This is not rhetoric. These are the facts as seen by serious independent observers, and they were of a nature that was sufficiently grave to justify the exercise of international criminal jurisdiction. Unfortunately a policy of double standards is nothing unusual for Turkey.

Much more can be said on this and other issues raised in the letter under reply but the Cyprus problem has often been debated in the United Nations. The issues are known and the relevant applicable and binding resolutions are clear.

However, as we have often said, my Government's firm policy has been and continues to be to cooperate fully and with good will with the Secretary-General and the Security Council in sincerely seeking a just and lasting solution to the tragic problem my country has been confronted by for too long. It is our hope that when the talks resume later this month Turkey will find it also to its benefit to play a constructive role. A just and viable solution, in accordance with the Charter principles and the United Nations resolutions, with a functional constitution and safeguards for the application of the universal norms of human rights, would be to the benefit of all the people of Cyprus and also to the benefit of all other States concerned, including Turkey, and for peace in our volatile region. It would also mark a well-deserved success for the United Nations after many years of persistent efforts.

I would be grateful if you would have the text of the present letter circulated as a document of the General Assembly, under agenda item 45, and of the Security Council.

(Signed) A. J. JACOVIDES
Ambassador
Permanent Representative of
the Republic of Cyprus
to the United Nations

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Agenda item 143
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-eighth year

Letter dated 10 May 1993 from the Permanent Representative of India to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a copy of a statement issued on 7 May 1993 by the Ministry of External Affairs of India on Bosnia and Herzegovina (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the forty-seventh session of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) M. H. ANSARI
Permanent Representative

ANNEX

Statement issued on 7 May 1993 by the Ministry of External Affairs of India on Bosnia and Herzegovina

The Government of India is deeply distressed at the negative reaction of the Bosnian Serb Assembly to the Vance-Owen peace plan, which had been endorsed by the United Nations and agreed to by the Bosnian Serb leader, Radovan Karadzic, at the recent conference on Bosnia and Herzegovina at Athens. The Government urges the Bosnian Serbs to give up their recalcitrant and obstreperous attitude towards the peace proposals and to bring an end to the sufferings caused to all communities by the ethnic and religious tensions generated by violent conflicts in different parts of former Yugoslavia. While urging all countries to exercise restraint and to avoid dangerous escalations, India objects to the grave provocations against the consensus of the international community by Bosnian Serbs. India stresses that the acceptance of the United Nations peace plan, which is the only basis presently available for a political solution to the present crisis, should be accepted by all concerned to ensure cessation of hostilities and forward movement towards establishing peace.

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Forty-seventh session
Agenda item 36
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

SECURITY COUNCIL
Forty-eighth year

Letter dated 11 May 1993 from the Chargé d'affaires a.i. of the Permanent Mission of El Salvador to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a copy of the note dated 16 April 1993 which the Minister for Foreign Affairs, Mr. José Manuel Pacas Castro, sent to the Ministers for Foreign Affairs of those countries with which El Salvador has diplomatic relations, relating to the adoption of the Amnesty Act and the reconciliation process in our country (see annex).

I should be very grateful if you would have this note circulated as an official document of the General Assembly, under agenda item 36 of the forty-seventh session, and of the Security Council.

(Signed) Guillermo A. MELÉNDEZ
Deputy Permanent Representative
Chargé d'affaires a.i.

ANNEX

Note dated 16 April 1993 from the Minister for Foreign Affairs of El Salvador concerning the adoption of the Amnesty Act and the reconciliation process in El Salvador

I have the honour to refer to a topic of vital importance for the people and Government of El Salvador in the context of the new situation in our country following the achievement of peace: national reconciliation.

As you know, the end of the armed conflict and the establishment of peace in El Salvador constitute undeniable achievements which have been widely commended at both the national and international levels.

While we have made substantial progress within the framework of the Peace Agreement, we are also aware that, at this new stage, our efforts and abilities must be focused on achieving genuine national reconciliation, which constitutes the basis for the consolidation of a firm and lasting peace in the country.

We fully understand and share the concerns which continue to exist in some countries, owing to the fact that the human rights of some of their citizens have been infringed as a result of their direct or indirect participation in the Salvadorian armed conflict, with the risks which that entailed.

Nevertheless, without wishing to enter into detailed consideration of such participation, we believe that the hatred, bitterness and confrontation which marked the years of the armed conflict must be fully eradicated, so as to give way to the indispensable solidarity and social harmony which should prevail at this unprecedented stage in the political history of El Salvador.

In keeping with these paramount objectives, the Legislative Assembly decided, by means of Decree No. 486 of 20 March 1993, to adopt the "General Amnesty Act for the Consolidation of Peace", which grants the benefits of full, complete and unconditional amnesty to all persons who in any way participated in criminal acts committed before 1 January 1992, whether these involved political crimes, related common crimes or common crimes committed by at least 20 persons.

From that perspective, the spirit and letter of the Amnesty Act derive from its all-embracing character, which in practice reflects the absolute necessity of granting pardons without any exceptions, in order to create the conditions required for the genuine reconciliation of Salvadorian society.

At a time when the sentiments of the Salvadorian people are in favour of forgetting, once and for all, the 12 years of tragic armed conflict and, at the same time, enjoying the benefits of peace, we are fully convinced that we cannot tolerate recriminations of any kind. To do otherwise would be to maintain a permanent state of social confrontation which could have negative and incalculable consequences for peace and national reconciliation.

We therefore affirm that we cannot afford the risk of regressing to old patterns of confrontation which, fortunately, have now been superseded. At this critical historical juncture, El Salvador more than ever needs the understanding

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Forty-seventh session
Agenda item 10
REPORT OF THE SECRETARY-GENERAL
ON THE WORK OF THE ORGANIZATION

SECURITY COUNCIL
Forty-eighth year

Note verbale dated 6 May 1993 from the Permanent Mission of Uruguay to the United Nations addressed to the Secretary-General

The Permanent Mission of Uruguay to the United Nations presents its compliments to the United Nations Secretariat and has the honour to refer to his note dated 12 April 1993 requesting views and proposals from Governments concerning assistance to third States affected economically by the application of sanctions under Chapter VII of the Charter of the United Nations.

The situation covered in Article 50 of the Charter has been addressed in several forums, including the General Assembly, its subsidiary organs and the Security Council.

While the practice followed with regard to Article 50 was very limited in the past, and only in connection with Southern Rhodesia were there requests for assistance under that provision, with the crisis in the Gulf, the question became very topical. The secondary effects of the application of sanctions on third countries not involved in the conflict led to the submission of 21 requests, including one from Uruguay. Despite the recommendations adopted and the appeals made, the responses were not commensurate with the requirements, and solutions are still awaited.

Subsequently, as a result of the application of sanctions pursuant to Security Council resolutions 713 (1991) of 25 September 1991, 757 (1992) of 30 May 1992 and 787 (1992) of 16 November 1992, further requests for assistance were submitted.

An analysis of the aforementioned events demonstrates the need to have a mechanism to ensure restoration of the rights of third countries that are affected.

Bearing in mind that under Article 25 of the Charter, the Members of the United Nations are bound by the decisions adopted by the Security Council, bearing in mind that Article 50 is not an isolated provision, but is within the framework of Chapter VII, which should be applied and interpreted as a whole, and bearing in mind the principle of mutual assistance embodied in the Charter, my delegation, together with a group of co-sponsors, submitted document A/AC.182/L.76/Rev.1 at the most recent session of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. That initiative is part of the general proposal contained in document A/AC.182/L.73/Rev.1, which was submitted in 1992 to that Committee.

The document refers to the establishment of a permanent mechanism that would operate automatically; the costs would not be incurred by any State or group of States, but by the United Nations as a whole, and would even be incurred outside the Organization. Through the establishment of the fund by the General Assembly, both requests for assistance that had not yet been addressed and future requests would be taken into consideration.

Contributions to the fund would be of two types: compulsory and voluntary. The first type, however, would not entail the allocation of additional resources; in other words, no new contributions would be required from Member States. In this connection, resources from the restructuring of the Secretariat, existing reserves in the regular budget and other factors could be taken into account. The proposed mechanism also envisages the possibility of direct financial assistance through bilateral or multilateral lines of credit, as well as other types of support, the enumeration of which is not exhaustive.

The document maintains a balance with regard to the various competent organs. It recognizes the role of the General Assembly in regard to budgetary matters, and the role of the Security Council in regard to the establishment of all the guidelines for considering requests for assistance - the key procedural factor in determining which cases are to be handled under the provision; at the same time, the administration of the fund is entrusted to the Secretary-General.

It is common knowledge that, to date, there is only one provision governing this question, Article 50 of the Charter, and it fails to establish any procedure for considering requests for assistance. The procedure, the way in which requests are to be handled and the criteria to be used would, under the proposed document, be the responsibility of the Security Council and its subsidiary organs. Upon the establishment of the fund by the General Assembly, the Security Council would be able to request the Secretary-General to assist the affected State.

It would be greatly appreciated if this note could be issued as an official document of the forty-seventh session of the General Assembly, under agenda item 10, and of the Security Council.